

CITY OF NORTH CANTON, OHIO

BOARD OF CONTROL

TRANSCRIPT OF
FEBRUARY 15, 2022, MEETING

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Transcript of Proceedings of the North Canton
Board of Control, taken by me, the undersigned, Laurie
Maryl Jonas, a Registered Merit Reporter and Notary Public
in and for the State of Ohio, at North Canton City Hall,
145 North Main Street, North Canton, Ohio, on Tuesday,
February 15, 2022, at 1:00 p.m.

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1 APPEARANCES:

2 Stephan B. Wilder, Mayor

3 Patrick A. DeOrio, Director of Administration

4 Wayne A. Boyer, Director of Law

5 Jina E. Alaback, Director of Finance

6 Robert G. Graham, Engineering Services

7 Kelly Hart, Administrative Specialist

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1 MAYOR WILDER: Mayor Wilder calling to order
2 the North Canton regular meeting for the board of
3 control for the City of North Canton. Here we are,
4 Tuesday, February 15, 2022, at 1 p.m. at city hall.

5 Roll call. Mayor Wilder is present.

6 Patrick DeOrio.

7 MR. DEORIO: Here.

8 MAYOR WILDER: Wayne Boyer.

9 MR. BOYER: Here.

10 MAYOR WILDER: And Jina Alaback.

11 MS. ALABACK: Here.

12 MAYOR WILDER: Also assisting today is
13 Miss Kelly Hart, administrative specialist, and also
14 with us today is Rob Graham, our city engineer.

15 Third item of business is approval of the
16 minutes of February 1, 2022. May I have a motion to
17 approve the minutes as presented in your packets.

18 MR. DEORIO: So moved.

19 MAYOR WILDER: So moved. Second?

20 MS. ALABACK: Second.

21 MR. BOYER: Second.

22 MAYOR WILDER: It's a tie. Any discussion on
23 the minutes? If not, all in favor, say "aye."

24 ("Aye" in unison.)

25 MAYOR WILDER: Opposed? That motion carries.

1 Minutes are approved.

2 Item No. 4, New Business. 4A, Award of the
3 Tenth Street, Northeast, Sanitary Sewer Replacement
4 Project. I'll open the floor up to Mr. Graham or
5 Mr. DeOrio for any further comments on the awarding
6 of the bid.

7 MR. DEORIO: I'll start and then I'll let Rob
8 Graham fill in.

9 So we opened bids on this project January 28,
10 11 a.m., city hall. And it was probably the most-bid
11 project that we have done in a long time.

12 MR. GRAHAM: Since I've been here, yes, sir.

13 MAYOR WILDER: Ten bids.

14 MR. DEORIO: So there were a lot of new
15 companies that we had not heard of before that have
16 bid, which is good; we like to see that. So the
17 businesses out there must be, you know, really
18 anxious for opportunities. And so we had some
19 discussions, the engineer and myself, on this and,
20 you know, narrowed it down, and then from there we
21 conduct reference checks against the potential
22 winners. We do research at the -- on their taxes, if
23 they're in default to anybody. If they're in trouble
24 with the secretary of state's, you know, business
25 registration unit, and we look at a number of

1 variables to determine what really, for the city, is
2 the lowest and best bid. And that's what we're
3 trying to do today. Because there are other
4 variables that are important that come into play
5 besides, you know, the final dollar and cent.

6 So Rob has reached out and talked to some
7 other contacts concerning each of the firms that we
8 were looking at. And, Rob, would you kind of like to
9 share a bit about what you learned?

10 MR. GRAHAM: Yes. As Mr. DeOrio has said, we
11 had ten bidders down to two that were separated by
12 \$7,800. Apparent low bidder is a firm called Karvo
13 Companies, Inc. They're out of Stow. I've never
14 worked with them before. Kind of heard of them. So
15 did numerous reference checks on them. Called --
16 called seven or eight places, literally, and with one
17 exception, the answer when I said why I was calling
18 checking reference I would get a "Oh." You know, at
19 best they do okay. One firm, or one municipality,
20 City of Green, actually gave them a nice review but
21 that was it. A lot of "oh"s.

22 And then Dirt Dawg was our second bidder,
23 second lowest, and called their references. The City
24 of Wooster, Smithville village through their
25 consultant, CT. Just gave glowing -- I mean, I never

1 had those types of feedback for municipalities. The
2 guy at Wooster is like, they did our first one in
3 2013, they have done five or six projects ever since.
4 Just fabulous to work with. And that said a lot.
5 And then talking with CT, construction engineer
6 there, who I worked with umpteen years ago when I ran
7 the CT office up on North Main, he says he climbed
8 the ladder there, he worked with both firms in the
9 last year. So he agreed to do, and it's attached in
10 your packet, a contractor preference sheet. It
11 pretty much surmised what I was getting. Dirt Dawg,
12 you know, top marks. Other one, so-so.

13 So and the other thing that stood out as I
14 went through the bids is Karvo is pretty much doing
15 the bulk of the work themselves. They do their own
16 asphalt paving, their own cement work, own concrete
17 curb.

18 The thing I liked about Dirt Dawg is they
19 hire a couple of local subcontractors to do that.
20 RMI Cement is actually an EDB firm. I believe we
21 don't have them in this project, but they do a lot of
22 concrete curb and gutter in the city each and every
23 year. And aprons and sidewalk. All of those are
24 components with this project. And then all the
25 asphalt pavings will be done by, almost a stone's

1 throw from city hall, by North Star Asphalt. So that
2 was kind of the deciding factor in me in coming up
3 for you folks as a board of control of my lowest and
4 best bid recommendation, and with that, as I've
5 written up, it is Dirt Dawg.

6 MR. DEORIO: Rob, in your discussions with
7 others, did any of them note the size of projects
8 that Karvo had worked on for them?

9 MR. GRAHAM: Yes. Karvo has some monster
10 projects. City of Green is nearly \$13 million, 12-,
11 \$13 million project. Some of the others were much
12 smaller profile projects. It seemed that what I was
13 getting is the smaller project, the
14 lesser-experienced Karvo crew you received. So on a
15 high-profile job they send their best folks out
16 there. Hence led to, like, Green's positive review.
17 And on smaller jobs -- I mean, 900,000 is still a lot
18 of money for us but it's certainly not 12- to
19 13 million, and yes, seemed like the smaller the
20 project the less high-profile, you wouldn't even get
21 the B team. You might get the D, E or F team is kind
22 of how that was presented. Which then led to
23 problems during construction just because of
24 inexperience.

25 Things would come up, like one example a

1 municipality gave me is on Monday they put in the
2 water line and the inspectors say, Wait a minute.
3 It's not that easy. And they threw the plans aside
4 and said plans shmans. And on Wednesday they
5 realized the storm sewer had to cross at the exact
6 same elevation so they had to tear out what they just
7 did. So they didn't keep in sync with the plans. So
8 instances like that.

9 MR. DEORIO: Wayne, do you -- law director,
10 do you have anything to add or question?

11 MR. BOYER: Yeah. My only other question for
12 Rob is, I was looking at the bid amounts and I
13 noticed a fair amount of discrepancies which could
14 account for ultimately we're talking, you know, less
15 than 1 percent difference between the bids. And I
16 wanted to know if you had any feedback specifically
17 on some of the bids under the sanitary, lines 21
18 through 27 on the sheet that you provided, and it
19 appears that a fair amount of the discrepancy has to
20 do with cost related to conduit, things of that
21 nature. Do you have any input on that as far as in
22 your discussions with other municipalities? Did they
23 give you any input concerning whether or not it
24 appeared as though they kind of bid too low on
25 certain -- certain costs and certain items?

1 MR. GRAHAM: That never came up with other
2 municipalities and Karvo -- or either firm and the
3 unit costs, the individual ones. These things, the
4 way we do the unit costs, it's just -- I still yet,
5 after all these years, haven't been able to put my
6 finger on what to think, you know. You look at these
7 two numbers between these two firms, they're \$7,800
8 apart but certain line items are vastly different.

9 MR. BOYER: Right.

10 MR. GRAHAM: And one of the things we looked
11 for is what we call an unbalanced bid. If you look
12 at like Item 35, Mobilization. If someone puts down
13 180,000 right there, you know, day one they
14 brought -- we typically pay 50 percent of that
15 because they brought their equipment out and got
16 started. So then they're getting all kind of money
17 up front and really haven't done anything yet.

18 MR. BOYER: Yes, sir.

19 MR. GRAHAM: So there's things we look at
20 there. Or like the curb and gutter removal item.
21 You know, obviously that's not a \$70-a-foot item, but
22 again, could lead to big early paycheck.

23 MR. BOYER: Uh-huh.

24 MR. GRAHAM: So those are the things I look
25 for. I've almost stopped trying to figure out why

1 individual items, you know, what they see when they
2 are putting their bids together.

3 MR. BOYER: Okay.

4 MR. DEORIO: So I think what you're saying as
5 far as the individual items go, there is really no
6 rhyme or reason why a number is put in there. It's
7 basically how this contractor is trying to recover
8 their costs and then their profit --

9 MR. GRAHAM: Right.

10 MR. DEORIO: -- in doing the work.

11 MR. GRAHAM: Absolutely. Sometimes, like
12 let's say if we have an item that's a contingency.
13 We're not sure if we're going to need this extra
14 300 tons of asphalt. We'll put it in there and get a
15 price. One contractor may put it in as a dollar a
16 ton, hoping to heck we don't use it, so he could win
17 the job, and someone may put in the normal price. So
18 that's something you have to look for, too. But we
19 had no contingency items in this project.

20 MR. BOYER: It's ultimately, to clarify my
21 question, is when you look down at these bids, they
22 are less than a percent apart. You don't see any
23 discrepancy one way or another between just the line
24 items as far as these two, as far as Karvo and Dirt
25 Dawg, that would have you lean one way or the other?

1 MR. GRAHAM: Nothing jumps out at me like
2 let's say, I don't know, like Item 21. I'm thinking
3 in the back of my mind, I may shorten the job up by a
4 hundred feet so, you know, if I do that, or lengthen
5 the job by a hundred feet, whatever, how the
6 mathematics work out where it comes to our advantage.
7 I mean, the sanitary sewer pipe, we're taking it out
8 and we're putting it right back in exactly where it
9 is.

10 MR. BOYER: Right.

11 MR. GRAHAM: So there's really not going to
12 be a whole lot of deviation. Sometimes, you know,
13 within the 10 percent the spec book gives us where we
14 can change quantities and keep the same price,
15 sometimes that's a great price, I'm going to sneak a
16 little more in there because they can't say anything.
17 This one is pretty much what it's going to be, if
18 that answers your question.

19 MR. BOYER: Yes, sir.

20 MAYOR WILDER: I like that they're using
21 subcontractors here locally, which helps out --

22 MR. GRAHAM: Right.

23 MAYOR WILDER: -- I think our community and
24 neighboring community.

25 MR. GRAHAM: Right. And in that regard and

1 we're familiar with the major subs.

2 MAYOR WILDER: Right. And they know our
3 city.

4 MR. GRAHAM: At the end of the day, that's
5 what we see. We see what the curb looks like. We
6 know the kind of paving we're going to get.

7 MAYOR WILDER: Very good. Any other comments
8 to come before the board?

9 MR. DEORIO: Mr. Boyer, do you feel that we
10 have met the standard to award based on the lowest
11 and best bid?

12 MR. BOYER: As far as potentially awarding
13 the bid to somebody who is not the lowest dollar
14 amount, is that your question?

15 MR. DEORIO: Uh-huh.

16 MR. BOYER: Yes, I believe so, based on,
17 because again, lowest and best is not just dollars.
18 You're -- obviously the dollar figure is important
19 and needs to be factored in to a relatively large
20 degree, but we need to discuss other factors as well.
21 Lowest and best does not just mean cheapest. It's
22 what is the best for our city. And so in the event
23 that we choose to go with not the cheapest bid, it
24 can still be lowest and best if other factors are
25 met. And from the sounds of it, it does sound that

1 even though Dirt Dawg is a little less than 1 percent
2 more from a dollars and cents perspective, the
3 comfort level we have with some of the
4 subcontractors, in addition to the glowing reviews
5 that we've received for Dirt Dawg versus the less
6 than glowing for Karvo, that's enough, certainly, if
7 we choose to go with Dirt Dawg, to justify it.

8 MR. DEORIO: Well, if the chair is looking
9 for a motion, I would move to award the contract for
10 the Tenth Street, Northeast, Sanitary Sewer
11 Replacement Project to Dirt Dawg Excavating, LLC, in
12 the amount not to exceed \$864,493.95.

13 MAYOR WILDER: Very well. Motion is on the
14 floor. May I have a second?

15 MR. BOYER: So moved.

16 MAYOR WILDER: So moved by Mr. Boyer. Any
17 further discussion on the item? If not, I'll call
18 for a roll call vote.

19 Mayor Wilder, yes.

20 Jina Alaback.

21 MS. ALABACK: Yes.

22 MAYOR WILDER: Patrick DeOrio.

23 MR. DEORIO: Yes.

24 MAYOR WILDER: And Wayne Boyer.

25 MR. BOYER: Yes.

1 MAYOR WILDER: Motion carries 4-0. The
2 contract is awarded to Dirt Dawg Excavating, LLC.

3 Thank you very much. If there's no other
4 business to come, I'll seek a motion to adjourn.

5 MR. DEORIO: So moved.

6 MAYOR WILDER: So moved. May I have a
7 second?

8 MS. ALABACK: Second.

9 MAYOR WILDER: All in favor, say "aye."

10 ("Aye" in unison.)

11 MAYOR WILDER: Opposed? No? Motion carries.
12 Thank you very much.

13 - - - - -

14 (Meeting adjourned at 1:14 p.m.)

15 - - - - -

16
17
18 Attest:

19 

20 Stephan B. Wilder, Mayor

C E R T I F I C A T E

STATE OF OHIO)
)SS
STARK COUNTY)

I, Laurie Maryl Jonas, a Registered Merit Reporter and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that this meeting was by me reduced to Stenotype and afterwards prepared and produced by means of Computer-Aided Transcription, and that the foregoing is a true and correct transcription.

I further certify that this meeting was taken at the time and place in the foregoing caption specified.

I further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in the event of this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Canton, Ohio, on this 17th day of February, 2022.

Laurie Maryl Jonas

Laurie Maryl Jonas, RMR & Notary Public.
My commission expires January 6, 2027.



<p>A</p> <p>a.m 4:10 able 9:5 Absolutely 10:11 account 8:14 action 15:13 add 8:10 addition 13:4 adjourn 14:4 adjourned 14:14 Administration 2:3 administrative 2:7 3:13 advantage 11:6 affiliated 15:14 affixed 15:16 ago 6:6 agreed 6:9 Akron 1:24 Alaback 2:5 3:10,11,20 13:20,21 14:8 amount 8:13,19 12:14 13:12 amounts 8:12 answer 5:17 answers 11:18 anxious 4:18 anybody 4:23 apart 9:8 10:22 Apparent 5:12 APPEARANC... 2:1 appeared 8:24 appears 8:19 approval 3:15 approve 3:17 approved 4:1 aprons 6:23 aside 8:3 asphalt 6:16,25 7:1 10:14 assisting 3:12</p>	<p>attached 6:9 Attest 14:18 attorney 15:12 award 4:2 12:10 13:9 awarded 14:2 awarding 4:5 12:12 aye 3:23,24 14:9 14:10</p> <p>B</p> <p>B 2:2 7:21 14:20 back 11:3,8 based 12:10,16 basically 10:7 believe 6:20 12:16 best 5:2,19 7:4 7:15 12:11,17 12:21,22,24 bid 4:6,16 5:2 7:4 8:12,24 9:11 12:11,13 12:23 bidder 5:12,22 bidders 5:11 bids 4:9,13 6:14 8:15,17 10:2 10:21 big 9:22 bit 5:9 board 1:2,15 3:2 7:3 12:8 book 11:13 Boyer 2:4 3:8,9 3:21 8:11 9:9 9:18,23 10:3 10:20 11:10,19 12:9,12,16 13:15,16,24,25 brought 9:14,15 bulk 6:15 business 3:15 4:2,24 14:4</p>	<p>businesses 4:17</p> <p>C</p> <p>C 15:1,1 call 3:5 9:11 13:17,18 called 5:12,15,16 5:23 calling 3:1 5:17 Canton 1:1,14 1:17,18,24 3:2 3:3 15:16 caption 15:10 carries 3:25 14:1 14:11 cement 6:16,20 cent 5:5 cents 13:2 certain 8:25,25 8:25 9:8 certainly 7:18 13:6 certify 15:7,10 15:11,14 chair 13:8 change 11:14 cheapest 12:21 12:23 checking 5:18 checks 4:21 5:15 choose 12:23 13:7 city 1:1,17 3:3,4 3:14 4:10 5:1 5:20,23 6:22 7:1,10 12:3,22 Civil 15:15 clarify 10:20 climbed 6:7 come 5:4 7:25 12:8 14:4 comes 11:6 comfort 13:3 coming 7:2 comments 4:5</p>	<p>12:7 commission 15:19 commissioned 15:7 community 11:23,24 companies 4:15 5:13 components 6:24 Computer-Ai... 15:8 concerning 5:7 8:23 concrete 6:16,22 conduct 4:21 conduit 8:20 construction 6:5 7:23 consultant 5:25 contacts 5:7 contingency 10:12,19 contract 13:9 14:2 15:15 contractor 6:10 10:7,15 control 1:2,15 3:3 7:3 correct 15:9 cost 8:20 costs 8:25 9:3,4 10:8 counsel 15:12 COUNTY 15:4 couple 6:19 court 1:24 15:14 crew 7:14 cross 8:5 CT 5:25 6:5,7 curb 6:17,22 9:20 12:5</p> <p>D</p>	<p>D 7:21 Dawg 5:22 6:11 6:18 7:5 10:25 13:1,5,7,11 14:2 day 9:13 12:4 15:17 deciding 7:2 default 4:23 defined 15:15 degree 12:20 DeOrio 2:3 3:6,7 3:18 4:5,7,14 5:10 7:6 8:9 10:4,10 12:9 12:15 13:8,22 13:23 14:5 determine 5:1 deviation 11:12 difference 8:15 different 9:8 director 2:3,4,5 8:9 Dirt 5:22 6:11 6:18 7:5 10:24 13:1,5,7,11 14:2 discrepancies 8:13 discrepancy 8:19 10:23 discuss 12:20 discussion 3:22 13:17 discussions 4:19 7:6 8:22 doing 6:14 10:10 dollar 5:5 10:15 12:13,18 dollars 12:17 13:2 duly 15:6</p> <p>E</p> <p>E 2:5 7:21 15:1,1</p>
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